

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

3477/133 (201570)

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) .

09/601028

INTERNATIONAL APPLICATION NO.

PCT/CA/98/00046

INTERNATIONAL FILING DATE

January 29, 1998

PRIORITY DATE CLAIMED

TITLE OF INVENTION

"A Synthetic Biomaterial Compound"

APPLICANT(S) FOR DO/EO/US

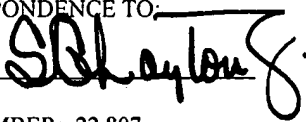
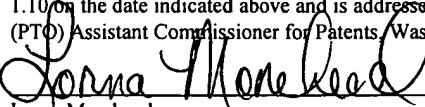
Sydney M. Pugh, Timothy J.N. Smith, Michael Sayer, Sarah Dortehea Langstaff

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(I).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
- a. ☒ is transmitted herewith (required only if not transmitted by the International Bureau).
- b. ☐ has been transmitted by the International Bureau.
- c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
- a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
- b. ☒ have been transmitted by the International Bureau.
- c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
- d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. To 16. Below concern other document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A FIRST preliminary amendment.
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information: Preliminary Examination Report, Written Opinion and Response to Written Opinion

U.S. APPLICATION NO. 09/601028 <small>(If known, see 37 CFR 1.50)</small>		INTERNATIONAL APPLICATION NO. PCT/CA/98/00046		ATTORNEY'S DOCKET NUMBER 3477/133 (201570)																																																																													
17. <input checked="" type="checkbox"/> The following fees are submitted: Basic National Fee (37 CFR 1.492(a)(1)-(5)): Neither international preliminary examination fee (37 CFR 1.482) nor International search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$970.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$840.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search (37 CFR 1.445(a)(2)) paid to USPTO \$690.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO But all claims did not satisfy provisions of PCT Article 33(1)-(4) \$670.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$ 96.00 ENTER APPROPRIATE BASIC FEE AMOUNT = Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)). <table border="1" style="width:100%; border-collapse: collapse;"><thead><tr><th style="width:20%;">CLAIMS</th><th style="width:20%;">NUMBER FILED</th><th style="width:20%;">NUMBER EXTRA</th><th style="width:20%;">RATE</th><th style="width:20%;"></th><th style="width:20%;"></th></tr></thead><tbody><tr><td>Total Claims</td><td>52 -20 =</td><td>32</td><td>X \$18.00</td><td>\$ 576.00</td><td></td></tr><tr><td>Independent Claims</td><td>7 - 3 =</td><td>4</td><td>X \$78.00</td><td>\$ 312.00</td><td></td></tr><tr><td colspan="3">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td><td>+ \$260.00</td><td>\$</td><td></td></tr><tr><td colspan="4" style="text-align: right;">TOTAL OF ABOVE CALCULATIONS =</td><td>\$1,728.00</td><td></td></tr><tr><td colspan="4">Reduction by 1/2 for filing by small entity, if applicable. A Small Entity statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28).</td><td>\$</td><td></td></tr><tr><td colspan="4" style="text-align: right;">SUBTOTAL =</td><td>\$ 1,728.00</td><td></td></tr><tr><td colspan="4">Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).</td><td>\$</td><td></td></tr><tr><td colspan="4" style="text-align: right;">TOTAL NATIONAL FEE =</td><td>\$ 1,728.00</td><td></td></tr><tr><td colspan="4">Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +</td><td>\$</td><td></td></tr><tr><td colspan="4" style="text-align: right;">TOTAL FEES ENCLOSED =</td><td>\$ 1,728.00</td><td></td></tr><tr><td colspan="4"></td><td>Amount to be Refunded</td><td>\$</td></tr><tr><td colspan="4"></td><td>Charged</td><td>\$</td></tr></tbody></table>				CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE			Total Claims	52 -20 =	32	X \$18.00	\$ 576.00		Independent Claims	7 - 3 =	4	X \$78.00	\$ 312.00		MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$260.00	\$		TOTAL OF ABOVE CALCULATIONS =				\$1,728.00		Reduction by 1/2 for filing by small entity, if applicable. A Small Entity statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28).				\$		SUBTOTAL =				\$ 1,728.00		Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$		TOTAL NATIONAL FEE =				\$ 1,728.00		Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$		TOTAL FEES ENCLOSED =				\$ 1,728.00						Amount to be Refunded	\$					Charged	\$
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<div style="display: flex; justify-content: space-between;"><div style="width: 45%;"><p>a. <input checked="" type="checkbox"/> A check in the amount of \$1,728.00 to cover the above fees is enclosed.</p><p>b. <input type="checkbox"/> Please charge my Deposit Account No. 16-0605 in the amount of \$ to cover the above fees. A duplicate copy of this sheet is enclosed.</p><p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 16-0605. A duplicate copy of this sheet is enclosed.</p></div><div style="width: 50%; border-left: 1px solid black; padding-left: 10px;"><p>Note: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.</p></div></div>																																																																																	
<p>SEND ALL CORRESPONDENCE TO: Samuel G. Layton, Jr.</p> <p>SIGNATURE </p> <p>REGISTRATION NUMBER: 22,807 ALSTON & BIRD LLP Post Office Drawer 34009 Charlotte, NC 28234 Tel. Charlotte Office (704) 331-6000 Fax Charlotte Office (704) 334-2014 Customer Number 000826</p>			<p>"Express Mail" Mailing Label Number: EL287629565US Date of Deposit: July 26, 2000</p> <p>I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to BOX PCT, Attn: DO/US (PTO) Assistant Commissioner for Patents, Washington, DC 20231.</p> <p> Lorna Morehead</p>																																																																														

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Sydney M. Pugh; Timothy J.N. Smith, Michael Sayer; Sarah Dortehea Langstaff
Appl. No.: 09/601,028 Group Art Unit: To Be Assigned
Filed: July 26, 2000 Examiner: To Be Assigned
For: "A Synthetic Biomaterial Compound"

September 18, 2000

ATTN: Refund Section, Accounting Division, Office of Finance
Assistant Commissioner for Patents
Washington, DC 20231

REQUEST FOR REFUND
(37 C.F.R. 1.28(a))

Sir:

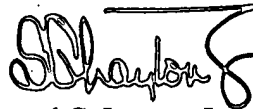
SUBMISSION OF STATEMENT

- ☒ Attached is a Statement Claiming Small Entity Status in this application.
- ☐ A Statement Claiming Small Entity Status was filed in this application on

REFUND REQUEST AND MANNER OF REFUND

This request for refund is made within two months of the date a fee was paid in this application on July 26, 2000 for filing fee (filing fee, issue fee, etc.), in the amount of \$1728.00. Please make refund by crediting ALSTON & BIRD LLP Deposit Account No. 16-0605.

Respectfully submitted,



Samuel G. Layton, Jr.
Registration No. 22,807

ALSTON & BIRD LLP
Post Office Drawer 34009
Charlotte, NC 28234-4009
Tel Charlotte Office (704) 331-6000
Fax Charlotte Office (704) 334-2014

CERTIFICATE OF MAILINGExpress Mail mailing label number: EL618192259US

Date of Deposit: September 18, 2000

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Assistant Commissioner for Patents, Box PCT, Washington, DC 20231.


Lorna Morehead